

REMARKS

Claims 1-9 are all the claims pending in the application.

Claim Rejections - 35 U.S.C. § 102

Claims 1-4 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Nakagawa et al. (U.S. Patent 6,168,519, hereinafter “Nakagawa”). Applicants respectfully traverse the rejection.

As a preliminary matter, Applicants would remind the Examiner that basic principles of Patent Law provide with respect to rejections under Section 102 that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). In other words, each and every limitation must be found in Nakagawa et al. As demonstrated subsequently, Nakagawa et al does not teach all claim limitations.

Claims 1 and 2

In the Office Action, the Examiner asserts that column 13, lines 29 to 40 of Nakagawa et al allegedly teach “related match selection means for selecting at least one match, from the plurality of matches, taking place at least partially at the same time as a main match a player's team is taking part in as one or more matches related to the main match based on start times for each match decided by the virtual start time deciding means,” as recited in claim 1. *See* Office Action, p. 2.

As a first matter, Nakagawa et al neither teaches nor suggests a “plurality of matches.” Figure 2 of Nakagawa et al which is cited by the Examiner, illustrates a diagram showing a

soccer field and an atmosphere associated with the field. The Figure is displayed by the system to the user before a match begins, and displays the teams, the stadium, and the weather for the match. *See* Nakagawa, col. 12, ll. 32-29. However, a person having ordinary skill in the art would understand that such a display merely illustrates a single match, with no teaching or suggestion of a plurality of matches.

Further, Nakagawa et al neither teaches nor suggests “selecting at least one match, from the plurality of matches, taking place at least partially at the same time as a main match a player’s team,” since Nakagawa does not disclose selecting other matches based on whether the other matches are also occurring during the “daytime” or “nighttime” during which the player’s match is occurring. Indeed, Nakagawa does not describe any basis for selecting matches other than the player’s match. Moreover, there is no basis for “selecting at least one match, from the plurality of matches, taking place at least partially at the same time as a main match a player’s team is taking part in.”

As a result, Nakagawa also fails to teach or suggest “related match selection means for selecting at least one match, from the plurality of matches, taking place at least partially at the same time as a main match a player’s team is taking part in as one or more matches related to the main match based on virtual start times for each match decided by the virtual start time deciding means.”

In addition, claim 1 recites the feature of an “event storage means.” However, the Examiner has not cited any portion of Nakagawa for allegedly corresponding to the claimed “event storage means.” Indeed, Nakagawa neither teaches nor suggests an “event storage means for storing...event content...occurring in the one or more related matches,” since Nakagawa is

completely unrelated to the generation of related matches or storage of events occurring in matches related to the player's match.

Still further, in the Office Action, the Examiner asserts that element ST680 in Figure 13 and column 14, lines 49 to 55 of Nakagawa allegedly teach "event content output means for outputting event content corresponding to the event time when it is determined by the event time arrival monitoring means that the event time has arrived during execution of the main match," as recited in claim 1. *See* Office Action, p. 3.

Instead, Nakagawa describes that a computer monitors an elapsed time to see whether a game is complete. If the game finish is reached, the result of the game is displayed. *See* Nakagawa, col. 14, ll. 49-55.

To this effect, Nakagawa neither teaches nor suggests the combination of features including "event content...occurring in the one or more related matches" and "outputting event content corresponding to the event time when it is determined by the event time arrival monitoring means that the event time has arrived during execution of the main match," as recited in claim 1, because Nakagawa does not describe outputting any event, which occurs in a related match, during execution of the match. As discussed above, Nakagawa is wholly unconcerned with matches other than the match being played by the user.

Moreover, a person having ordinary skill in the art would understand that Nakagawa's disclosure of outputting a game result is simply the end result of the game currently being played by the player. Figure 13 of Nakagawa, cited by the Examiner, illustrates execution of a single game, which the user is playing. *See* Nakagawa, col. 13, ll. 18-20. Indeed, there is no disclosure that an event, occurring in a related match, is ever displayed during execution of the match that

the user is playing. Rather, at best, Nakagawa is limited to displaying an event that occurs at the end of the match that the user is playing.

As a result, Nakagawa also fails to teach or suggest “event content output means for outputting event content corresponding to the event time when it is determined by the event time arrival monitoring means that the event time has arrived during execution of the main match.”

Accordingly, for at least the above reasons, Nakagawa fails to teach or suggest all the features of claim 1, and hence claim 1 and its dependent claims would not have been anticipated by Nakagawa.

Claims 3 and 4

Claims 3 and 4 recite features similar to those discussed above regarding claim 1, and hence claims 3 and 4 would not have been anticipated by Nakagawa for at least analogous reasons.

In the absence of the several expressly recited limitations of claims 1-4 from the clearly deficient disclosure of Nakagawa et al, there simply cannot be any anticipation.

Claim Rejections - 35 U.S.C. § 103

Claims 1-9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakagawa, in view of Sabaliauskas (U.S. Patent 5,359,510). Applicants respectfully traverse the rejection.

In the Office Action, the Examiner rejects claims 1-4 under 35 U.S.C. § 103 by applying substantially the same rationale used to reject claims 1-4 under 35 U.S.C. § 102. Specifically, the Examiner concedes that Nakagawa fails to teach or suggest a virtual time, a virtual date, and

a competition ladder. *See* Office Action, p. 4. However, claims 1-4 do not recite the features asserted by the Examiner.

Further, Sabaliauskas is merely cited for teaching a virtual time, a virtual date, and a competition ladder, and fails to cure the deficient disclosures of Nakagawa discussed above regarding the rejection of claims 1-4 under 35 U.S.C. § 102. Therefore, even if Nakagawa could have somehow been modified based on Sabaliauskas, as the Examiner asserts in the Office Action, the combination would still not contain all the features of claims 1-4. Accordingly, claims 1-4 would not have been rendered unpatentable by the combination of Nakagawa and Sabaliauskas for at least these reasons.

Claims 5-9 depend on claim 1 and incorporate all the features of claim 1. Again, even if Nakagawa could have somehow been modified based on Sabaliauskas, as the Examiner asserts in the Office Action, the combination would still not contain all the features in claim 1, and hence claims 5-9, as discussed above. Accordingly, claims 5-9 would not have been rendered unpatentable by the combination of Nakagawa and Sabaliauskas for at least these reasons.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Alan J. Kasper/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Alan J. Kasper
Registration No. 25,426

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: October 8, 2008